

Appl. No.: 09/693,060  
Amdt. dated 10/17/2005  
Reply to Office action of 04/15/2005

### REMARKS

This response is submitted with a request for a three month extension and appropriate fee in reply to the Office Action dated April 15, 2005. Claims 1-24 currently stand rejected. Applicants have amended claims 1, 10 and 17 to more particularly point out the patentable differences between the claims of the present application and the cited references. No new matter has been added by the amendment.

In light of the amendment and the remarks presented below, Applicants respectfully request reconsideration and allowance of all now-pending claims of the present invention.

#### Claim Rejections - 35 USC §112

Claims 1, 10 and 17 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Specifically, the Office Action asserts that the specification fails to provide support for the claim language "has no pre-assigned relationship with the gateway device based on pre-defined protocols" as recited in independent claim 1 and similar language recited in independent claims 10 and 17.

Independent claims 1, 10 and 17 were previously amended to further define the term "transparent" which definition includes the language that has been found objectionable by the Office Action. Applicants have currently amended independent claims 1, 10 and 17 to delete the language found objectionable, while more clearly defining aspects of the claimed invention with respect to transparency. Specifically, independent claim 1 has been amended to recite, *inter alia*, the gateway device enables the source computer to access any network regardless of network configurations. Independent claims 10 and 17 have been similarly amended. Support for such amendment can be found at least at page 9, lines 22-25, wherein transparency is defined such that "computers can access any networks via the device regardless of their network configurations."

Accordingly, Applicants respectfully submit that the rejections of claims 1, 10 and 17 under 35 U.S.C. §112, first paragraph, are overcome.

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**Claim Rejections - 35 USC §102**

Claims 1-16 currently stand rejected under 35 U.S.C. §102(e) as being anticipated by Sitaraman et al. (U.S. Patent No. 6,385,653, hereinafter "Sitaraman").

As stated above, independent claim 1 has been amended to recite, *inter alia*, the gateway device enables the source computer to access any network regardless of network configurations. In other words, **regardless of a network's configuration**, the computer can communicate with the network via the gateway device. As will be appreciated, the transparency of access achieved by the claimed invention will be of substantial and welcome assistance to at least those computer users who may travel about and need to log on via different networks since those computer users need no longer manually reconfigure their computers upon attempting to access a different network. Instead, the gateway device of the claimed invention can perform such a reconfiguration on behalf of the computer user.

Sitaraman is directed to a protocol gateway for providing uniform delivery of service. The protocol gateway of Sitaraman is disclosed to be "transparent". However, Sitaraman fails to teach or suggest "transparency" as defined and claimed in the claimed invention. Sitaraman discloses a protocol layer (110) that includes a plurality of protocol handlers and ports (158), (162), (164) ( FIGS. 2 and 3 and col. 6, lines 16-28). Each of the ports (158), (162), (164) is configured to support the application protocol used by a respective client (col. 6, lines 31-32). To accomplish robust service capability, a number of ports with different protocol capabilities are employed (col. 6, lines 33-40 and FIG. 3). Thus, the protocol layer (110) does not enable a computer to communicate with the network regardless of network configurations. To the contrary, the protocol layer only supports clients who utilize one of the specific application protocols for which a protocol handler has been installed, and not other protocols. In this regard, if the computer attempts to communicate with the network, the protocol gateway of Sitaraman must first determine if the protocol is supported (col. 6, lines 49-51). If the protocol is supported, the protocol gateway of Sitaraman allows data packets to be routed to an appropriate protocol handler (col. 6, lines 51-56, col. 7, lines 2-6, 11-15 and 19-22). If the protocol is not supported, however, the computer user will be unable to communicate with the network. Thus, Sitaraman neither teaches nor suggests the gateway device enables the source computer to access

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any network regardless of network configurations as claimed in independent claim 1. Rather Sitaraman discloses that the computer must have a configuration matching a pre-installed port and protocol handler configured for the computer's protocol in order to communicate with the network. Accordingly, independent claim 1 is not anticipated or rendered obvious by Sitaraman.

Applicants submit that independent claim 10 has been amended to recite a system having substantially similar subject matter as the method of independent claim 1. Thus, independent claim 10 is patentable for at least the same reasons as given above for independent claim 1. Claims 2-9 and 11-16 depend either directly or indirectly from independent claims 1 and 10, respectively, and thus include all the recitations of their respective independent claims. Therefore, dependent claims 2-9 and 11-16 are patentable for at least the same reasons as given above for their respective independent claims.

Accordingly, Applicants respectfully submit that the rejections of claims 1-16 are overcome.

#### **Claim Rejections - 35 USC §103**

Claims 17-24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sitaraman, in view of Bowker et al. (U.S. Patent No. 6,317,790, hereinafter "Bowker").

Applicants have amended claim 17 to recite, inter alia, receiving at the gateway device a request from the source to access the network regardless of network configurations.

As stated above, Sitaraman fails to teach or suggest receiving at the gateway device a request from the source to access the network regardless of network configurations as claimed in independent claim 17. Bowker is directed to a system for interrupting client requests in a web environment. There is no teaching or suggestion in Bowker of receiving at the gateway device a request from the source to access the network regardless of network configurations, and Bowker is not cited for such a proposition. Thus, the cited references, either individually or in combination, fail to render independent claim 17 obvious. Claims 18-24 depend either directly or indirectly from independent claim 17, and thus include all the recitations of independent claim 17. Dependent claims 18-24 are patentable for at least those reasons given above for independent claim 17.

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Accordingly, Applicants respectfully submit that the rejections of claims 17-24 are overcome.

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### CONCLUSION

In view of the amended claims and the remarks submitted above, it is respectfully submitted that the present claims are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present invention.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

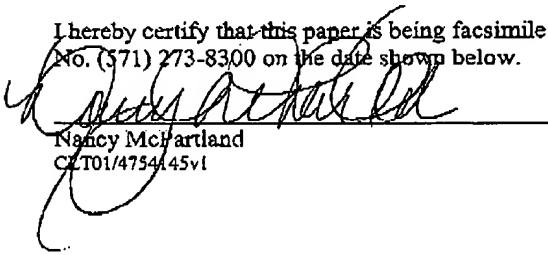


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